

### **REMARKS**

Claims 17-22 and 34-36 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **SPECIFICATION**

The specification stands objected to because the status of the parent application to which the present application claims domestic priority is not stated in the Cross-Reference to Related Application section of the application. Notwithstanding, Applicants have amended the specification according to state that the parent application has issued as U.S. Pat. No. 6,896,745. Therefore, reconsideration and withdrawal of this objection are respectfully requested

### **CLAIM OBJECTIONS**

Claims 17, 19, 20, and 35 stand objected to because it is not clear what constitutes a "kind" of rare earth element. Notwithstanding, the "kind of" has been deleted from Claims 17, 19, 20, and 35. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102/103**

Claims 17-22 and 34-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being unpatentable over, Hamano (JP 11-288807). This rejection is respectfully traversed.

Claims 17 and 19 have been amended and rewritten. Claims 17 and 19 now recite a bonded magnet comprising a magnetic powder having an average particle size in the range of 1 to 50 microns. The magnetic powder is composed of an R-TM-B based alloy having at least one element selected from Ti, Cr, Nb, V, Mo, Hf, W, Mn, Zr and Dy (where R is at least one rare earth element selected from the group consisting of Nd and Pr, a ratio of Pr with respect to a total mass of R is in the range of 20% to 60%, and Tm is a transition metal mainly containing Fe). Lastly, the intrinsic coercive force  $H_{CJ}$  of the bonded magnet at room temperature is in a range of 430 – 760 kA/m. This subject matter is disclosed throughout the Specification as originally filed. For example, the rare earth elements selected from the group consisting of Nd and Pr is described in paragraphs [0051] and [0052]. The claimed particle size is described in paragraph [0099]. Lastly, the claimed coercive force is described in paragraph [00121]. Accordingly, no new matter has been added.

Hamano does not teach or suggest such a bonded magnet. More specifically, Hamano fails to teach a bonded magnet including a magnetic powder that is composed of an R-TM-B based alloy having at least one element selected from Ti, Cr, Nb, V, Mo, Hf, W, Mn, Zr and Dy (where R is at least one rare earth element selected from the group consisting of Nd and Pr, a ratio of Pr with respect to a total mass of R is in the range of 20% to 60% and Tm is a transition metal mainly containing Fe). Because this subject matter is neither taught nor suggested by Hamano, Applicants respectfully assert that Claims 17 and 19 are neither anticipated nor obvious in view of Hamano. Furthermore, Applicants respectfully assert that claims depending from Claims 17 and

19 are also neither anticipated nor obvious for at least the same reasons as their independent base claims.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 17-22 and 34-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Panchanathan (U.S. Pat. No. 5,725,792) in view of Mohri (U.S. Pat. No. 4,765,848). This rejection is respectfully traversed.

As stated above, Claims 17 and 19 have been amended and rewritten. Neither Panchanathan nor Mohri teach or suggest the subject matter of Claims 17 and 19. Specifically, neither Panchanathan nor Mohri teach or suggest a bonded magnet having a magnetic powder that is composed of an R-TM-B based alloy having at least one element selected from Ti, Cr, Nb, V, Mo, Hf, W, Mn, Zr and Dy (where R is at least one rare earth element selected from the group consisting of Nd and Pr, a ratio of Pr with respect to a total mass of R is in the range of 20% to 60% and Tm is a transition metal mainly containing Fe). Because this subject matter is neither taught nor suggested by either Panchanathan nor Mohri, Applicants respectfully assert that Claims 17 and 19, and their corresponding dependent claims, would not have been obvious in view of these references.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

### **DOUBLE PATENTING**

Claims 17- 22 and 34-36 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 17-23 and 35-38 of co-pending application number 10/719,969. This rejection is respectfully traversed.

Applicants elect to file, included herewith, a terminal disclaimer that overcomes the double patenting rejection. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 17-22 and 34-36 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 12-18 of U.S. Patent No. 6,627,102. This rejection is respectfully traversed.

Applicants elect to file, included herewith, a terminal disclaimer to overcome the double patenting rejection. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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